



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 1, 2005

IN REPLY PLEASE

REFER TO FILE: **B-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FINDINGS AND ORDERS OF THE
BUILDING REHABILITATION APPEALS BOARD
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the findings and orders of the Building Rehabilitation Appeals Board which provide for abatement of public nuisance at the following locations:

3901 East Cesar E. Chavez Avenue, Los Angeles
4346 Fisher Street, Los Angeles
4229 Milburn Drive, Los Angeles

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Title 26 of the Los Angeles County Code, the Building Code, provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99. The Building Code also provides for a Building Rehabilitation Appeals Board, appointed by your Board, for the purpose of hearing appeals on matters concerning public nuisances.

Government Code Section 25845 requires that the property owners be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance by the County. However, your Board adopted modified procedures which delegated the

required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goals of Service Excellence and Children and Families' Well-Being as it provides services to the public that have a wide-reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions which constitute a public nuisance. It will require the removal of trash, junk, debris, inoperable vehicles, and overgrown vegetation from private property.

FISCAL IMPACT/FINANCING

There will be no negative fiscal impact or increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Rehabilitation Appeals Board has conducted the required hearing for the properties listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard properties. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following properties to be a public nuisance.

Your Board may either adopt these findings and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 3901 East Cesar E. Chavez Avenue, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by September 19, 2005, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by September 19, 2005.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Miscellaneous articles of personal property scattered about the premises.
3. Trash, junk, and debris scattered about the premises.
4. Garbage cans and packing crates stored in front or side yards and visible from public streets.

ADDRESS: 4346 Fisher Street, Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: (a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, miscellaneous personal property, and all excessive vegetation by September 19, 2005, and maintained cleared thereafter. (b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by September 19, 2005.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Overgrown vegetation, weeds, and debris constituting an unsightly appearance or a danger to public safety and welfare.
3. Trash and junk scattered about the premises.
4. Garbage cans stored in front or side yards and visible from public streets.
5. Wrecked, dismantled, or inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

ADDRESS: 4229 Milburn Drive, Los Angeles

FINDING AND ORDER: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following order: That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by September 19, 2005, and maintained cleared thereafter.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. An attractive nuisance dangerous to children in the form of abandoned or broken equipment.
3. Broken or discarded furniture and household equipment in yard areas for unreasonable periods.
4. Miscellaneous articles of personal property scattered about the premises.
5. Trash, junk, and debris scattered about the premises.
6. Garbage cans stored in front or side yards and visible from public streets.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's findings that the listed properties are substandard because they are injurious to health, offensive to the senses, and obstruct the free use of neighboring property so as to interfere with the comfortable enjoyment of life and property.

The Honorable Board of Supervisors
September 1, 2005
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At such time as this recommendation is adopted, please return an adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

MP:pc
P:REHAB/BOARDLET/FO1

cc: Chief Administrative Office
County Counsel